

Claims 2 and 22 are rejected as allegedly anticipated under 35 U.S.C. §102(b) over U.S. 5,479,196 (Inada). Applicants respectfully traverse.

The Examiner's position is that in column 8 line 62 through column 9 line 10, Inada teaches the simultaneous operation of the elements to discharge ink for recovery. However, these particular section of the cited document do not state that elements 15 and 16 (FIG. 10) are simultaneously operated. }

Applicants respectfully submit that the Inada document actually suggests that only element 16 is operated in this recovery state. The description of the drawings for FIG. 10A and 10B says the drawings are "illustrative of the state of operation of a heating element during recovery" (emphasis added). Applicants' position is that Inada's use of the word "a", indicates that a single heating element is being discussed, not multiple elements. If Inada were referring to multiple elements being operated, the document would say "the heating elements". Also, the section of text in column 8 line 62 through column 9 line 10, discusses the operation of heating element 16 only, and does not mention that element 15 would be operated simultaneously during a recovery. } Therefore, applicants respectfully submit that Inada does not anticipate claims 2 and 22, nor does it suggest the claims.

Claims 10 and 11 are rejected as allegedly anticipated under 35 U.S.C. §102(b) by JP 404221644 (Yamashita/Canon Inc.). Applicants respectfully traverse. Claim 10 is canceled, and claim 11 is rewritten to be in independent form. Applicants do not agree with the Examiner's analysis with respect to claim 11,

that it would be inherent that the 2nd element is driven after the first. Further, the Examiner seems to reject claim 11 under the obviousness standard, rather than the anticipation standard. The claim can be rejected under section 102(b) of the U.S. patent laws only when the document explicitly shows what the claim recites, and in absence of such showing, the claim is not anticipated, and is also not obvious in view of the document, as it is only in applicants' teaching that the claimed matter is found. As such, claim 11 is believed to be in form for allowance.

Claim 12 is rejected as being obvious under 35 U.S.C. §103(a) over JP 4042216444 (Yamashita/Canon Inc.) in view of U.S. 6,033,051 (Kaneko). Applicants respectfully traverse. An argument corresponding to that above with regard to claim 11 also applies to claim 12, and therefore claim 12 is submitted to be allowable.

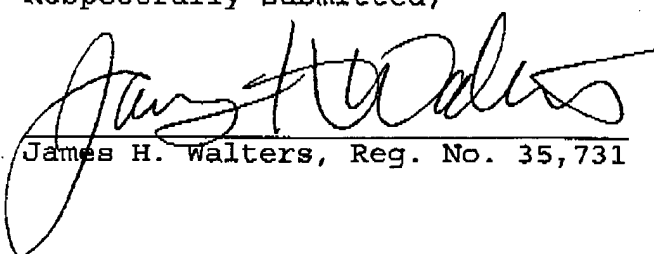
Claim 13 is rejected as being obvious under 35 U.S.C. §103(a) over JP 4042216444 (Yamashita/Canon Inc.) in view of U.S. 6,488,354 (Hosono). Applicants respectfully traverse. A corresponding argument to that of claim 12 also applies, and therefore, claim 13 is also believed allowable.

Claim 15 is rejected as being obvious under 35 U.S.C. §103(a) over U.S. 5,479,196 (Inada) in view of U.S. 6,199,972 (Ishinga et al). Applicants respectfully traverse. Since claim 15 depends on claim 2, the arguments above with respect to claim 2 also apply with respect to the rejection of claim 15, and therefore, claim 15 is submitted to be in allowable form.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicants' attorney at 503-224-0115 if there are any questions.

Respectfully submitted,



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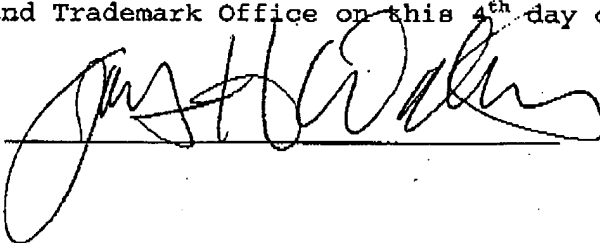
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## MARKUPS

11. (Amended) [The ink jet imaging apparatus according to claim 10,] An ink jet imaging apparatus having a printing head having plural nozzles for ink ejection, and first ink ejection elements formed respectively near each of the nozzles for ejecting the ink from the nozzle; and forming an image by driving the first ink ejection element to eject the ink, wherein the ink jet imaging apparatus comprises:

second ink ejection elements formed respectively upstream against the ink ejection direction before the first ink ejection element for ejecting the ink from the nozzles, having higher ink ejection performance than the first ink ejection elements,

wherein a controller is provided which drives the first ink ejection elements at a prescribed first timing, and drives the second ink ejection elements at a second timing later than the first timing.